

REMARKS

Claims 1, 4, 5, 8-17, 19, 20, 22, 23, 25, 26, 28, 29, 31, 32, 34, 35, 41 and 42 are pending in this application. By this Amendment, claims 1 and 10 are amended, and claims 41 and 42 are added. No new matter is added by these amendments as the allowable subject matter of claims 37 and 38 is incorporated in claims 1 and 10, respectively. Additionally, added claims 41 and 42 incorporate the allowable subject matter of claims 39 and 40 into claims 1 and 10, from which they depend. Claims 37-40 are canceled without prejudice to, or disclaimer of, the subject matter recited in those claims. A Terminal Disclaimer is attached. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

Entry of the amendments is proper under 37 CFR §1.116 because the amendments place the application in condition for allowance for the reasons discussed herein. Specifically, the indicated allowable subject matter of claims 37 and 38 is incorporated into independent claims 1 and 10, respectively. Entry of the amendments is thus respectfully requested.

The Office Action, in paragraph 8, states that claims 37-40 recite allowable subject matter. These claims would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims. The Applicant appreciates this indication of allowability and bases the above amendments on this indication. Specifically, the allowable subject matter of claims 37 and 38 are incorporated into independent claims 1 and 10, respectively. Additionally, added claims 41 and 42 incorporate the allowable subject matter of claims 39 and 40, and the subject matter of claims 1 and 10, respectively.

The Office Action, in paragraph 2, rejects claims 1, 4, 5, 8-17, 19, 20, 22, 23, 25, 26, 28, 29, 31, 32, 34, 35 and 37-40 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 15-18 and 21-24 of U.S. Patent No. 6,990,597 to

Abe et al. (hereinafter "Abe") in view of U.S. Patent No. 5,553,104 to Takashi et al. (hereinafter "Takashi"). The filing of the attached Terminal Disclaimer obviates this rejection. Accordingly, reconsideration and withdrawal of the nonstatutory obviousness-type double patenting rejection are respectfully requested.

The Office Action, in paragraph 3, rejects claims 1, 4, 5 and 8-15 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,567,484 to Hirota et al. (hereinafter "Hirota") and U.S. Patent No. 4,672,639 to Tanabe et al. (hereinafter "Tanabe"), and further in view of U.S. Patent No. 4,975,702 to Bazes and U.S. Patent No. 5,553,104 to Takashi. Additionally, in paragraph 4, the Office Action rejects claims 16, 17, 19 and 20 under 35 U.S.C. §103(a), as being unpatentable over Hirota, Tanabe, Bazes and Takashi, and further in view of U.S. Patent No. 5,517,155 to Yamauchi et al. (hereinafter "Yamauchi"). In paragraphs 5-7, the Office Action rejects claims 22 and 23 are rejected as being unpatentable over Hirota, Tanabe, Bazes, Takashi and Yamauchi, and further in view of U.S. Patent No. 5,796,360 to Wendelrup; claims 25, 26, 31 and 32 are rejected as being unpatentable over Hirota, Tanabe and Bazes, and Takashi and further in view of U.S. Patent No. 6,477,181 to Fujimori et al. (hereinafter "Fujimori"); claims 28, 29, 34 and 35 are rejected as being unpatentable over Hirota, Tanabe, Bazes, Takashi and Fujimori, and further in view of what is asserted to be Applicant's admitted prior art, respectively. The Applicant respectfully traverses these rejections.

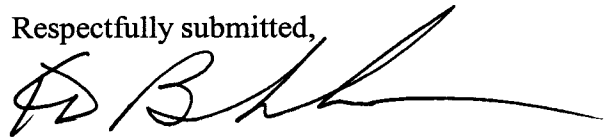
The incorporation of the allowable subject matter of claims 37 and 38 into independent claims 1 and 10, respectively, obviates the above enumerated rejections. Accordingly, reconsideration and withdrawal of the rejections of the pending claims is respectfully requested.

Claims 41 and 42 are allowable for at least the incorporation of the allowable subject matter of claims 39 and 40 into independent claims 1 and 10, from which claims 39 and 40 depend, respectively.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 4, 5, 8-17, 19, 20, 22, 23, 25, 26, 28, 29, 31, 32, 34, 35, 41 and 42 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Terminal Disclaimer

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